

## REMARKS

The following is responsive to the office action mailed June 12, 2008 (“Action”).

Reconsideration and allowance of this application are respectfully requested.

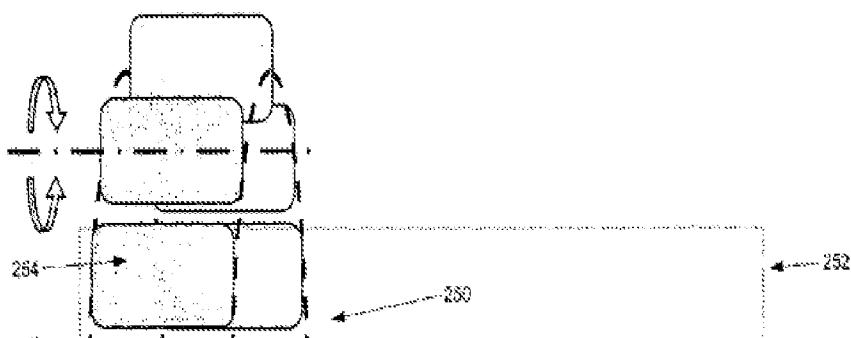
### **Rejection under 35 U.S.C. § 103(a)**

Claims 1-18, 20, and 22-38 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. PGPUB No. 2003/0001907 to Bergsten et al. (“Bergsten”) in view of U.S. Patent No. 5,485,197 to Hoarty et al. (“Hoarty”). See Action at pp. 2-5. Applicants respectfully traverse.

Applicants submit that, for at least the following reasons, the claims define over the combination of Bergsten and Hoarty.

#### A. Comments on Claims 1, 20, and 34

Claim 1 has been amended to recite “wherein the carousel extends beyond a perimeter of the display region, and wherein a subset of the plurality of elements of the first sequential folder located on one side of the perimeter of the display region are displayed.” Support for the claim amendment may be found at least in Figure 2D, a portion of which is reproduced below, of the instant application.



As can be seen, the carousel 250 extends beyond perimeter 252 of the display region such that a subset of the plurality of elements 254 of a first sequential folder located on one side of the perimeter of the display region are displayed. See also, for example, instant application at pp. 10-11, paragraphs 44-47.

Bergsten at least fails to teach or suggest the features recited in amended claim 1. On page 3, the Action concedes that:

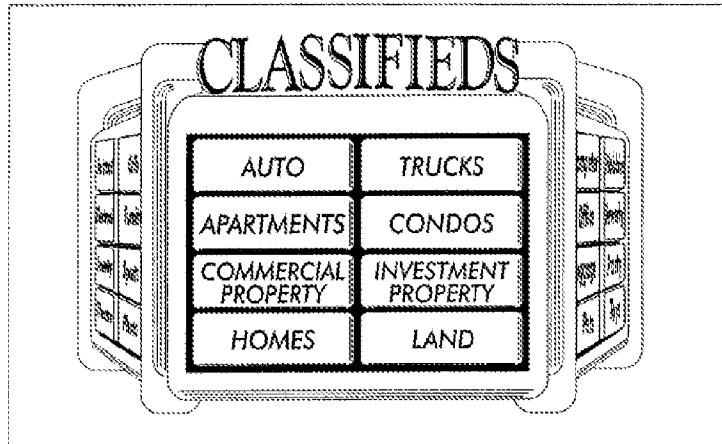
interaction of a user (para 11, 21, 25). Bergsten et al do not specifically state that the elements are presented in a carousel such that the carousel is displayable as a plurality of carousel elements that rotate around a carousel axis, but the elements of the first sequential subfolder are presented in a form such that they repeat and circulate (para 25). Furthermore, Hoarty et al do in fact present elements in a rotating carousel form, to

As Bergsten fails to disclose at least the features noted in the Action, Bergsten certainly also fails to teach or suggest “wherein the carousel extends beyond a perimeter of the display region, and wherein a subset of the plurality of elements of the first sequential folder located on one side of the perimeter of the display region are displayed,” as recited in amended claim 1.

Hoarty also fails to teach or suggest any such claim features. To reject the claimed carousel, the Action states:

25). Furthermore, Hoarty et al do in fact present elements in a rotating carousel form, to easily facilitate repeating and circulating elements (abstract, Figures 35, 36 37, column 19 lines 1-40). It would have been obvious to a person with ordinary skill in the art to

Action at p. 3. Figure 35 of Hoarty is reproduced below.



*Fig. 35*

Hoarty indicates that Figure 35 is a carousel menu system with a frontal face and two side faces.

See Hoarty at Figure 35 and at col. 18, line 93 to col. 19, line 7. Figure 35 of Hoarty displays various menu choices, such as Auto, Apartments, Trucks, and so forth. *Id.* Hoarty indicates that the carousel menu system can be shown to rotate in one direction or another to cause another set of menu choices to appear on the frontal face. *Id.* at col. 19, ll. 13-18.

Notably, Hoarty does not teach or suggest that the carousel menu system extends beyond a perimeter of a display region such that a subset of the plurality of elements of the carousel menu system located on one side of the perimeter of the display region are displayed. As can be seen in Figure 35, the carousel menu system of Hoarty is positioned completely within the display region, and hence the carousel menu system in Hoarty does not extend beyond a perimeter of a display region. Because Hoarty does not disclose that the menu system extends beyond a perimeter of a display region, it necessarily follows that Hoarty also fails to teach or suggest that a subset of the menu choices of the carousel menu system located on one side of the perimeter of the display region are displayed. Thus, the combination of Hoarty and Bergsten, even if proper, fails to teach or suggest at least the claim features of “wherein the carousel

extends beyond a perimeter of the display region, and wherein a subset of the plurality of elements of the first sequential folder located on one side of the perimeter of the display region are displayed," as recited in amended claim 1. Therefore, claim 1 as amended defines over the prior art of record for at least the reasons noted above and Applicants respectfully request that the rejection be withdrawn.

Claims 20 and 34 contain claim elements that are analogous to those of claim 1 discussed above. Therefore, the combination of Bergsten and Hoarty, even if proper, does not render obvious claims 20 and 34 for at least reasons similar to the reasons discussed above in connection with claim 1.

B. Comments on Claims 2-18, 22-33, and 35-38

Claims 2-18, 22-33, and 35-38 respectively depend upon independent claims 1, 20, and 34, and therefore are allowable at least for the reasons discussed above in connection with claims 1, 20, and 34.

C. Comments on Claims 8, 28, and 37

Referring to claim 8, the combination of Bergsten and Hoarty, even if proper, does not support a proper *prima facie* case of obviousness to reject claim 8 because neither of the cited references teach or suggest that "a diameter of the carousel is adjustable." On page 4, the Action implicitly concedes that Bergsten does not disclose these claim features. The Action relies on column 19, lines 1-40 of Hoarty as disclosing these claim features. Applicants respectfully disagree.

The lines of Hoarty cited in the Action do not support the assertion made in the rejection of claim 8. Notably, column 19, lines 1-40 of Hoarty fail to use the word diameter. Moreover,

Hoarty fails to teach or suggest that a diameter of the carousel menu system is adjustable at the cited lines. Indeed, Applicants performed a text search of Hoarty and neither the word diameter nor radius is used at a single location in the patent. As such, Applicants submit that Hoarty does not teach or suggest that the carousel menu system has a diameter that is adjustable. Therefore, Applicants submit that the combination of Hoarty and Bergsten, even if proper, does not teach or suggest "a diameter of the carousel is adjustable" in the manner recited in claim 8.

Claims 28 and 37 contain claim elements that are analogous to those of claim 8 discussed above. Therefore, the combination of Hoarty and Bergsten, even if proper, does not render obvious claims 28 and 37 for at least reasons similar to the reasons discussed above in connection with claim 8.

D. Comments on Claims 9, 29, and 38

Referring to claim 9, the combination of Bergsten and Hoarty, even if proper, does not support a proper *prima facie* case of obviousness to reject claim 9 because the combination does not teach or suggest that "the diameter of the carousel is adjustable as a function of the number of the plurality of elements of the first sequential subfolder." On page 4, the Action implicitly concedes that Bergsten does not disclose these claim features. The Action relies on column 19, lines 1-40 of Hoarty as disclosing these claim features. Applicants respectfully disagree. As noted above, column 19, lines 1-40 of Hoarty, as well as everywhere else in Hoarty, fail to use the words diameter and radius, and hence the combination of Hoarty and Bergsten, even if proper, fails to teach or suggest that "the diameter of the carousel is adjustable as a function of the number of the plurality of elements of the first sequential subfolder" in the manner recited in

claim 9. For at least the foregoing additional reasons, the combination of Bergsten and Hoarty does not render obvious claim 9.

Claims 29 and 38 contain claim elements that are analogous to those of claim 9 discussed above. Therefore, the combination of Hoarty and Bergsten does not render obvious claims 29 and 38 for at least reasons similar to the reasons discussed above in connection with claim 9.

### CONCLUSION

All rejections having been addressed, applicant respectfully submits that this application is in condition for allowance, and respectfully requests issuance of a notice of allowance. If the Examiner believes that additional discussion and/or amendment would be helpful, the Examiner is invited to telephone Applicants' undersigned representative at the number appearing below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 13, 2008

By: /Christopher M. Swickhamer/  
Christopher M. Swickhamer  
Registration No. 59,853

10 S. Wacker Dr., Suite 3000  
Chicago, IL 60606  
Tel: (312) 463-5000  
Fax: (312) 463-5001

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